

**JC03 Rec'd PCT/PTO 19 SEP 2009**

Form PTO-1390 (Rev. 12-2004)      US PATENT AND TRADEMARK OFFICE; US DEPARTMENT OF COMMERCE		ATTORNEY'S DOCKET NO. <b>C 2792 PCT/US</b>
<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b>		U.S. APPLICATION NO. (if known see 37 CFR 1.5) <b>10/549744</b>
INTERNATIONAL APPLICATION NO. <b>PCT/EP2004/002440</b>	INTERNATIONAL FILING DATE <b>March 10, 2004</b>	PRIORITY DATE CLAIMED <b>March 19, 2003</b>
TITLE OF INVENTION <b>ETHERCARBOXYLIC ACID ESTER OF STEROL OR STANOL</b>		
APPLICANT(S) FOR DO/EO/US <b>Alfred Westfechtel, Ansgar Behler</b>		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371.</li> <li>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371.</li> <li>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</li> <li>4. <input type="checkbox"/> The US has been elected (Article 31).</li> <li>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))           <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input checked="" type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li>6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).           <ol style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> is attached hereto.</li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ol> </li> <li>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))           <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input checked="" type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> A English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). <b>(COPY OF PCT REQUEST EXECUTED BY ALL INVENTORS)</b></li> <li>10. <input type="checkbox"/> A English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> </ol> <p><b>Items 11 to 20 below concern document(s) or information included:</b></p> <ol style="list-style-type: none"> <li>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li>13. <input checked="" type="checkbox"/> A preliminary amendment.</li> <li>14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</li> <li>15. <input type="checkbox"/> A substitute specification.</li> <li>16. <input checked="" type="checkbox"/> A power of attorney and/or change of address letter.</li> <li>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.825.</li> <li>18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</li> <li>19. <input type="checkbox"/> A second copy of the English language translation of the International application under 35 U.S.C. 154(d)(4).</li> <li>20. <input checked="" type="checkbox"/> Other items or information:</li> </ol>		
<b>International Search Report (with Information Disclosure Citation and References)</b>		
<b>"Express Mail Post Office to Addressee" service Mailing Label Number <u>EV530261391US</u></b>		

U.S. Application No. <b>200549744</b> (If known, see 37 CFR 1.5)		INTERNATIONAL APPLICATION NO. <b>PCT/EP2004/002440</b>		ATTORNEY'S DOCKET NUMBER <b>C 2792 PCT/US</b>	
The following fees have been submitted				<b>CALCULATIONS</b>	<b>PTO USE ONLY</b>
21. ■ Basic national fee..... \$300				\$ 300	
22. ■ Examination fee If international preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4)..... \$100 All other situations..... \$200				\$ 200	
23. ■ Search fee Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an: International Searching Authority..... \$100 International Search Report prepared and provided to the Office..... \$400 All other situations..... \$500				\$ 400	
<b>TOTAL OF 21, 22 and 23 =</b>				\$ 900	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
18 - 100 =	0/50 =	0	x \$250.00	\$ 0	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$ 0	
<b>CLAIMS</b>	<b>NUMBER FILED</b>	<b>NUMBER EXTRA</b>	<b>RATE</b>		
Total Claims	25 - 20 =	5	5 X \$50.00	\$ 250	
Independent Claims	3 - 3 =	0	0 X \$200.00	\$ 0	
MULTIPLE DEPENDENT CLAIMS (S) (if applicable)			0 + \$360.00	\$ 0	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$ 1150	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$ 0	
<b>SUBTOTAL =</b>				\$ 1150	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$ 0	
<b>TOTAL NATIONAL FEE =</b>				\$ 1150	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$ 0	
<b>TOTAL FEES ENCLOSED =</b>				\$ 1150	
				Amount to be refunded:	
				Amount to be charged:	\$1150.00
a. <input type="checkbox"/> A check in the amount of \$_____ to cover the above fees is enclosed. b. ■ Please charge my Deposit Account No. <u>50-1177</u> in the amount of <u>\$1150.00</u> to cover the above fees. A triplicate copy of this sheet is enclosed. Order No. <u>05-0353</u> . c. ■ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>50-1177</u> . A triplicate copy of this sheet is enclosed. d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. <b>Credit card information should not be included on this form.</b> Provide credit card information and authorization on PTO-2038. <b>NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.</b>					
SEND ALL CORRESPONDENCE TO:			<b>Customer Label No. 23657</b> <div style="text-align:right; margin-top: 20px;">             SIGNATURE            Arthur G. Seifert            NAME ATTORNEY FOR APPLICANT            28,040            REGISTRATION NUMBER         </div>		